

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

NANCY K. O'ROURKE,

Plaintiff,

v.

Case No. 13-CV-00193 RB/ACT

NORTHERN NEW MEXICO COLLEGE,  
SUSAN PACHECO and NANCY BARCELO,

Defendants.

**ORDER DISMISSING INDIVIDUAL DEFENDANTS WITH PREJUDICE**

THIS MATTER having come before this Court on the Defendant Susan Pacheco and Defendant Nancy Barcelo unopposed Rule 12 (b) (6) motion to dismiss them from this lawsuit with prejudice for failure to state a claim upon which relief may be granted, the Court having read the motion and being otherwise fully advised in the matter hereby finds that the motion should be granted.

IT IS THEREFORE ORDERED that this lawsuit is dismissed with prejudice as against Defendant Susan Pacheco and Defendant Nancy Barcelo for failure to state a claim upon which relief can be granted. This dismissal does not affect the Plaintiff's claims against Northern New Mexico College including but not limited to claims against Northern New Mexico College for actions allegedly taken by the individual defendants in their official capacities.



---

ROBERT C. BRACK  
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ **Mark A. Basham**

Mark A. Basham

Basham & Basham, P.C.

Attorneys for the Defendants

2205 Miguel Chavez, Suite A

Santa Fe, New Mexico 87505

(505) 988-4575

[mbasham@bbpcnm.com](mailto:mbasham@bbpcnm.com)

Approved by:

*Electronically approved*

Samuel C. Wolf, Esq.,

Jones, Snead, Wertheim & Clifford, P.A.

Attorneys for Plaintiff

1800 Old Pecos Trail

Santa Fe, New Mexico 87504

(505) 989-6208

[sam@thejonesfirm.com](mailto:sam@thejonesfirm.com)